

REMARKS

The Examiner's continued attention to the application is noted with appreciation.

In the Office Action dated July 10, 2007, the Examiner rejected claims 1, 7, 16 and 38-40 under 35 U.S.C. § 102(b) as anticipated by Bracale (MI 2001A02272), which was published August 7, 2002 (effective date). The Examiner also rejected claims 3-5, 8, 10-15, 17-18, 21-29, 30-37, and 41-44 under 35 U.S.C. § 103(a) as being unpatentable over Bracale either alone or in view of other references. Such rejections are respectfully traversed. The present application properly claims priority to U.S. Provisional Patent No. 60/144,128, filed on January 31, 2003, the disclosure of which has support for the present invention. Thus Bracale was published less than one year before Applicant's filing date and Bracale is being improperly cited under 35 U.S.C. § 102(b); Bracale should properly be cited under 35 U.S.C. § 102(a). Attached is a Declaration of Inventor under 37 C.F.R. § 1.131 and 1.68. The showing of facts is such, in character and weight, as to establish reduction to practice prior to the effective date of the reference. Photocopies of original exhibits of drawings or records accompany and form part of the declaration. Therefore Bracale is not available as a reference or prior art, and the claims are now in condition for allowance, which is respectfully requested by Applicant.

An earnest attempt has been made to respond to each and every ground of rejection advanced by the Examiner. However, should the Examiner have any queries, suggestions or comments relating to a speedy disposition of the application, the Examiner is invited to call the undersigned agent for Applicant. Authorization is given to charge payment of any additional fees required, or credit any overpayment, to Deposit Acct. 13-4213.

Respectfully submitted,

By: 

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